

Dear Chairman and Members of the Committee:

My name is Representative Travis Couture, and I serve in the Washington State House of Representatives as the ranking Republican on the House Appropriations Committee. While I now have the privilege of representing the people of Washington, I grew up in North Dakota.

North Dakota is where I learned many of the values I still carry today: hard work, personal responsibility, strong families and communities, and a healthy skepticism of government doing more than it needs to do. Those values have followed me through military service, raising a family, owning a small business, and ultimately into public office.

They also shape how I approach our nation's drug crisis.

I grew up seeing firsthand what addictive substances can do to families. My family was not exempt from it. Today, I see addiction through a very different lens—as a legislator responsible for helping oversee a state budget increasingly consumed by its downstream consequences.

Those consequences appear throughout government: behavioral health, emergency medical care, foster care, homelessness, law enforcement, corrections, and other public services. As the ranking Republican on Washington's House Appropriations Committee, I can tell you what many of those programs cost down to the dollar.

But no budget line item can calculate what a family has lost.

Washington has learned some difficult lessons about drug policy. Our drug crisis is severe, and while there are many causes, some of our own policy choices have made that crisis more difficult to solve. At times, well-intentioned efforts at compassion reduced accountability and left people suffering from addiction in circumstances that continued to place themselves and others in harm's way.

We have since reversed portions of that approach. Changing a law, however, is much easier than repairing a life or family after addiction has taken hold.

That experience has made me place a much greater value on prevention.

We confronted a related question in Washington this year with nitrous oxide. Nitrous oxide presented an unusual policy challenge because it has both serious potential for recreational abuse and well-established legitimate uses in medicine, dentistry, veterinary care, food production, manufacturing, industry, and automotive applications.

Our approach was straightforward: where legitimate uses existed, we protected them. Where they did not, we prohibited the sale and distribution of the canisters, tanks, and similar receptacles that were facilitating recreational abuse.

That legislation ultimately passed our House 96-0 and our Senate 49-0.

The experience reinforced an important principle for me.

I believe government should be reluctant to prohibit a product when there is a legitimate reason for people to possess or use it. But when a substance demonstrates a meaningful potential for addiction, abuse, and danger, my calculation changes.

That is why I believe Senate Bill 2408 is an important step, but also why I respectfully encourage you to consider whether it goes far enough.

SB 2408 addresses specified mitragynine derivatives and establishes thresholds for 7-hydroxymitragynine. In doing so, it addresses some of the most acute dangers associated with the emerging market for concentrated and modified kratom products.

But addressing the most dangerous part of a problem is not necessarily the same as addressing the entire problem.

The FDA continues to warn consumers against the use of kratom generally because of the risk of serious adverse events, including substance use disorder, liver toxicity, and seizures. There are currently no FDA-approved prescription or over-the-counter drugs containing kratom or its associated compounds.

That does not, by itself, answer the policy question before you. But I believe it raises an important one.

If there is a demonstrated legitimate use for a potentially dangerous substance, government should carefully protect it. That is what we did with nitrous oxide in Washington.

Where that legitimate use has not been established, I believe policymakers are justified in asking why the public should bear the risk while we wait for the evidence to catch up.

I am a conservative who believes strongly in limited government, individual liberty, free enterprise, and personal responsibility. My instinct is not to prohibit something simply because it carries risk. But limited government should not mean passive government, particularly when addiction is involved.

We have learned in Washington how quickly an emerging drug problem can become entrenched and how extraordinarily difficult it is to reverse course afterward. Government can spend billions responding to addiction. It can build treatment programs, fund hospitals, hire social workers, expand behavioral health systems, and put more police on the street.

What government cannot do is give a family back the years addiction took from them.

Washington will likely face its own debate over kratom. When we do, I expect the lessons of our broader drug crisis and our recent work on nitrous oxide to guide my thinking: follow the evidence, protect legitimate uses where they actually exist, intervene intelligently, and do not wait for an emerging problem to become a full-blown crisis before taking it seriously.

I offer that perspective with respect for the responsibility you carry. I do not represent North Dakota, and you know your constituents and communities better than I do. But I was raised there, I care deeply about the families who call it home, and I now have the benefit of seeing what happens when another state gets drug policy wrong.

Senate Bill 2408 is a meaningful step. I respectfully encourage you to consider whether this is an opportunity to address the broader problem now, rather than returning to it after more families have been harmed.

Thank you for your consideration and for your service to the people of North Dakota.

Sincerely,

Representative Travis Couture

Washington State House of Representatives - 35th District
Ranking Republican, House Appropriations Committee